

**GOVERNMENT OF TELANGANA
ABSTRACT**

Higher Education Department – Vigilance Cell – Allegations of misuse of Government funds by Sri P.Madan Mohan Reddy, Principal (Retd), Government Junior College (Boys), Bhongir, Nalgonda District – Disciplinary action initiated – Withholding the misappropriated amount of Rs.3,22,309/- – Settlement of the pensionary benefits - Orders – Issued.

HIGHER EDUCATION (UE&VC-A2) DEPARTMENT

G.O.RT.No. 168

Dated: 31.07.2015

Read the following :-

1. From the C.I.E., AP, Hyderabad Lr.No.I-1/519/2005-1, dt.13.02.2007.
2. From the C.I.E., AP, Hyderabad Lr.Rc.No.I-1/519/2005, dt.16.02.2009
3. G.O.Ms.No.54, of Higher Education (VC.II) Dept., dt.08.07.2009.
4. G.O.Rt.No.492, of Higher Education (VC.II) Dept., dt.08.07.2009.
5. Govt. Memo No.2420/VC.II/2007, dt.04.08.2010.
6. From the CIE, AP, Hyderabad Lr.Rc.No.I-1/519/2005, dt.01.01.2011.
7. Orders of Hon'ble APAT dt.30.06.2014 in O.A.No.741/2011 filed by Sri P.Madan Mohan Reddy, Principal(Retd).
8. Govt. Memo. No.2420/UE&VC/A2/2007, dt:09.03.2015.
9. From the CIE Lr.Rc.No.Ser.I-1/519/2005, dt:06.05.2015.

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ORDER:

In the reference first read above, the Commissioner of Intermediate Education, A.P., Hyderabad has informed that based on the complaint received from Sri R.Chandra Sekhar against Sri P.Madan Mohan Reddy, Principal(Retd), GJC(Boys), Bhongir, Nalgonda District, an enquiry has been conducted by the Regional Joint Director of Intermediate Education, Warangal. The Enquiry Officer in his report has stated that Sri P.Madan Mohan Reddy, Principal(Retd), GJC(Boys), Bhongir, Nalgonda District has committed certain irregularities and the Commissioner of Intermediate Education, A.P., has requested the Government to initiate necessary disciplinary action against Sri P.Madan Mohan Reddy, Principal(Retd). The incumbent has retired from service on attaining the age of superannuation on 31.04.2005 and charges have not been framed against the individual while he was in service.

2. In the reference second read above, the Commissioner of Intermediate Education has furnished draft articles of charges. In the reference third read above, Government has initiated disciplinary action against Sri P.Madan Mohan Reddy, Principal (Rtd.), GJC (Boys), Bhongir, Nalgonda District, consequently charges were framed vide reference fourth read above. In the meanwhile, the four years limited period has elapsed by 31.04.2009, as the individual had retired from service on 31-4-2005. The individual submitted written statement of defence.

3. In the reference fifth read above, the Commissioner of Intermediate Education was requested to offer his specific remarks on the explanation of the Accused Officer and also to state the exact amount which the A.O. has not accounted for, to recover it from him as a loss caused to the Government.

4. In the reference sixth read above, the Commissioner of Intermediate Education has stated that as per the preliminary report, the retired Principal has committed irregularities for (1) an amount of Rs.2,07,000/- drawn from the special fees cash books, (2) amount of Rs.1,07,731/- collected from persons/institutions towards donations for District Level Sports and (3) amount of Rs.7,578/- paid in excess to the Sr.Assistant & Typist i.e., total misappropriated amount is Rs.3,22,309/-

5. Sri P.Madan Mohan Reddy, Principal (Retired), GJC (Boys), Bhongir, Nalgonda District has filed O.A.No.741 of 2011 in Hon'ble APAT seeking to release anticipatory pension/provisional pension with arrears immediately by suspending G.O.Ms.No.54, Higher Education (VC.II) Dept., dated 8.7.2009 as well as G.O.Rt.No.492, Higher Education (VC.II) Dept., dt.8.7.2009 where in charges were framed against the A.O., under APRP Rules, 1980.

6. The Hon'ble APAT in its final orders dt:30.06.2014 in O.A.No.741/2011 filed by Sri P.Madan Mohan Reddy, Principal (Rtd.), Government Junior College(Boys), Bhongir, Nalgonda District made the following order :-

"Having regard to the facts and circumstances of the case, the impugned orders of the 2nd respondent i.e., the Principal Secretary, Higher Education Department in G.O.Ms.NO.54, Higher Education(VC.II) Department, dt.08.07.2009 according sanction to initiate departmental proceedings against the applicant under Rule 9(2)(b) (i) of AP Revised Pension Rules, 1980 and the articles of charge issued through G.O.Rt. No. 492, Higher Education(VC.II) Department, dt.08.07.2009 are liable to be set aside and hereby set aside. The O.A. is disposed of accordingly. No order as to costs."

7. Government after careful examination of the matter, has observed that according to Rule-9(2)(b)(ii) of Andhra Pradesh Revised Pension Rules, 1980, the Departmental proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment, shall not be in respect of any event which took place more than four years before such institution. Sri P.Madan Mohan Reddy, Principal (Retired), GJC (Boys), Bhongir, Nalgonda District retired from service on 31.04.2005 and the 4 years period was completed by 31.04.2009.

8. As per the executive instructions issued in G.O.Ms.No.995, Finance (Pension.I) Dept., dt: 21.12.2002 Amendment orders were issued to Rule 9 (7) of APRPR's 1980 that *"Eventhough a Government servant has retired from service and was not before his retirement charge sheeted or called upon to explain why a pecuniary loss caused to the Government (or a local authority) due to his negligence, while he was in service, should not be recovered from him, the Government if they are satisfied that the loss is due to him, shall recoup the pecuniary loss besides all Government dues or local authority dues from the Retirement Gratuity. For this purpose, it shall not be necessary to get the consent of the Government servant or the consent of the members of his family in the case of a deceased Government servant, as the case may be"*. Hence, it has been decided to recover the misappropriated amount of Rs.3,22,309/- (Rupees Three Lakhs, Twenty Two Thousand, Three Hundred and Nine only) from Sri P.Madan Mohan Reddy, Principal (Retired), GJC (Boys), Bhongir, Nalgonda District.

9. Accordingly, Government hereby order for the recovery of the misappropriated amount of Rs.3,22,309/- (Rupees Three Lakhs, Twenty Two Thousand, Three Hundred and Nine only) from the Death cum Retirement Gratuity, EL encashment and also from the Dearness Relief on Pension of Sri P.Madan Mohan Reddy, Principal (Retired), GJC (Boys), Bhongir, Nalgonda District in terms of the provisions of Rule 9(7) of A.P. Revised Pension Rules, 1980 and the pensionary benefits due to him should be settled accordingly.

10. The Commissioner of Intermediate Education, Telangana State, Hyderabad shall take necessary further action accordingly.

11. This order issues with the concurrence of Finance (HRM-V) Department vide their U.O.No.6889/89/A1/HRM.III/15, dt:04.06.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

RANJEEV R.ACHARYA
PRINCIPAL SECRETARY TO GOVERNMENT

To:

The Commissioner Of Intermediate Education, Telangana State, Hyderabad.
Sri P.Madan Mohan Reddy, Principal (Retired), Government Junior College(Boys), Bhongir, Nalgonda District **through** the CIE, Telangana, Hyderabad.

Copy to:

The Accountant General, Telangana, Hyderabad.
The Finance (HRM.V) Department.
The Law Department.

// FORWARDED :: BY ORDER //

SECTION OFFICER